

EPA PROJECT OFFICER POST-AWARD EVALUATION PROTOCOL
(USED FOR ADVANCED AND BASELINE MONITORING)
CHESAPEAKE BAY PROGRAM OFFICE (CBPO)

To prevent potential problems with the Paperwork Reduction Act, Project Officers should not give this protocol to the recipient or direct the issues as questions to the recipient.

BACKGROUND INFORMATION (PART 1)

MID YEAR/SIX MONTH: <u> X </u> CLOSEOUT: <u> </u>	GRANT NUMBER(s): CB973931-01-2										
1. DATE PREPARED: 10/10/2011	2. RECIPIENT NAME: PA Dept of Environmental Protection										
3. ENTER ALL DATES: a. OFF-SITE CONFERENCE CALL DATE: 10/3/2011 b. ON-SITE REVIEW DATE: (enter date if applicable, otherwise N/A) c. REPORT DATE: 10/10/2011 (Date Report Sent to Grantee) d. CLOSED DATE: 10/20/2011 (Date all issues resolved, if applicable, otherwise this date is same as Report Date.)	4. PROJECT OFFICER(s): Peter Tango PARTICIPANTS/PERSONS CONTACTED: (Names /Affiliations) - EPA: Peter Tango - GRANTEE: Tony Shaw, Project Manager										
5. TYPE OF EVALUATION: ---- Evaluative On-Site Visit --X-- Off-site Evaluation --- Follow-up ----- Joint Site Review (Note: Please provide the name of the co-evaluator and office in this block.)											
6. <u>AWARD INFORMATION</u> Grant <u> </u> Cooperative Agreement <u> X </u>	8. <u>PROJECT / BUDGET PERIOD DATES:</u> <table border="0"> <thead> <tr> <th></th> <th align="center">BEGINNING</th> <th align="center">ENDING</th> </tr> </thead> <tbody> <tr> <td>Project Period:</td> <td align="center">7/1/2010</td> <td align="center">9/30/2016</td> </tr> <tr> <td>Budget Period</td> <td align="center">7/1/2010</td> <td align="center">9/30/2012</td> </tr> </tbody> </table>			BEGINNING	ENDING	Project Period:	7/1/2010	9/30/2016	Budget Period	7/1/2010	9/30/2012
	BEGINNING	ENDING									
Project Period:	7/1/2010	9/30/2016									
Budget Period	7/1/2010	9/30/2012									
7. <u>AWARD AMOUNT</u> EPA share: \$ 665,334 Recipient share/Match: \$ 35,017 EPA IN-KIND: 0 Total: \$700,351	9. <u>BRIEF PROJECT DESCRIPTION:</u> Essential sample collection and analysis that is a critical part of an integrated, interstate watershed-wide partner network, data management of QA'd non-tidal water quality data set produced, and statistical analysis and its summaries that support assessing the effectiveness of management actions in the Bay watershed.										

BACKGROUND INFORMATION (PART 1) CONTINUED

10. PROVIDE BRIEF DESCRIPTION OF RECIPIENT:

Provide Background Information of Recipient, i.e. State Agency, University, Local Government, and Not For Profit. Background Information may be included in Statement of Work. (Example: This is a “Not For Profit” membership organization representing a broad coalition of interests united in support of the conservation, protection and restoration of the Potomac River watershed.....). If background information is not included in the Statement of Work, request recipient to e-mail their description to you.

Response: State Agency whose mission is to protect the state’s air, land and water from pollution and to provide for the health and safety of its citizens through a cleaner environment. DEP works with individuals, organizations, governments and businesses to prevent pollution and restore natural resources.

11. DESCRIBE THE GRANT WORK-PLAN COMMITMENTS:

Response: Support the development of load estimates from the free flowing non-tidal reaches of tributaries to the Chesapeake Bay and to support tracking of long-term trends in nutrient and sediment concentrations.

12. DISCUSS PREVIOUS RECOMMENDATIONS/CONCERNS/OPEN PROGRAMMATIC FINDINGS, IF ANY EXIST; ARE THEY OR WILL THEY BE REMEDIED?:

a. If applicable, Previous Recommendations/Concerns listed in this Item 12 on Last Monitoring Review Report. Discuss if they will or will not be remedied?

Response: N/A

b. Open Programmatic Findings in Last Monitoring Review (Refer to Part II, Item 7, PO Suggestions and Recommendations). If applicable, are there any open programmatic findings for this Award in last monitoring review (could not provide a “closed date” on last monitoring review report because of major finding(s))? Provide date of resolution and explanation on how finding(s) have been resolved.

Response: N/A

RESULTS OF REVIEW WITH RECOMMENDATIONS (success & findings) - PART II

1. Scope of Review: Summarize the purpose of your review.

If appropriate, list issues that will be raised for resolution during the review (e.g., need response on why the recipient spent half of the grant award and hasn’t produced a literature review).

Response: Conduct a six-month review to assess progress toward achieving commitments as outlined in the work-plan, ensure that funds are being drawn down at an acceptable rate commensurate with progress and that all deliverables have been submitted and approved as required to date.

2. Financial: POs are responsible for:

>Analyzing the budget information in the reports by reviewing the payment history (using recipient progress reports, Financial Status Reports, or Financial Data Warehouse reports) and comparing actual amounts spent against the planned budget in the work plan.

>Providing rebudget approval to the Grants Specialist on the recipients request to rebudget grant funds or on other actions which require prior approval from EPA.

PO to Review, Discuss, and Respond:

a. Is this award incrementally funded?

Response: Yes

b. Has the recipient begun work under this assistance agreement?

Response: Yes

c. Ensure funds are available to complete the project:

Answer the following:

*Amount of EPA funds awarded: \$ 665,334

*Amount of EPA funds paid: \$ 168,792.24

*Remaining Balance: \$ 496,541.76

% of Project Completed: See Technical 3a below for details

% of Funds Paid: 25%

* Information found on Financial Data Warehouse Report dated 9/29/2011 at

http://oasint.rtpnc.epa.gov/neis/grant_web.grant_inquiry

d. Has the recipient made any drawdowns on this award since the award date or last monitoring review?

Response: Yes

e. Is the payment history consistent with the progress to date?

Response: Yes

f. Are the expended and remaining funds reasonable?

Response: Yes

g. Does this review indicate any need to amend the award?

Response: No

- **Verify with recipient if there is enough funding in place to cover expected costs?** If no, provide explanation. *(Contact either Lori Mackey or Ronnie Kuczynski for assistance to possibly add funds)*

Response: Yes

Are the Project/Budget Period(s) long enough to cover the time that it will take to complete the project? If no, provide explanation. *(Contact either Lori Mackey or Ronnie Kuczynski for assistance prior to requesting time extension request from recipient.)*

Response: Yes

h. Does the recipient require any PO/Grant Office approvals/amendments for cost or activities not included in the original award? Respond to the following:

- **Significant changes or re-budgeting over 10% of award total (as applicable).**

Response: No

- **Re-budgeting between direct and indirect costs (Part 30 or 31 recipients only).**

Response: No

- **Equipment costs not included in the original award.**

Response: No

- **Changes in key personnel.**

Response: No

- **Unplanned travel expenses**

Response: No

- **Changes in the project's approved scope of work.**

Response: No

3. Technical: POs are responsible for:

> *comparing the recipient's work plan/application to actual progress under the award.*

> *monitoring all activities and the recipient's progress on the project.*

> *providing comments to the recipient on the progress reports and other work products.*

> *apprizing program staff who are responsible for parts of the project/program on issues which need resolution.*

> *recommending actions that require the attention of Grants Office or others.*

a. List work plan/application tasks, compare to actual work progress, and identify areas of concern cited in the progress report. Provide a summary of each task and current status:

Response:

Objective I: Nutrient and suspended sediment monitoring :

1. Maintenance of current network operations

Status: Current network operations were maintained with the collection of monthly water quality samples and up to 8 storm samples with the objective of at least one storm per quarter.

2. Network improvements to support CB management needs

Status: Improvements to the Network were realized by enhancing two existing PA Water Quality Network stations with the addition of requisite chemical parameters and storm sampling and doubling the sampling frequency. In addition, two new stations were to be created on Conewago Creek that required gage installation and initiating the standard monthly sampling and storm sampling regime required for primary NTN sampling

sites. One Conewago Creek site came on-line during this reporting period (June 2011) whereas the second station has been constructed but the equipment is not yet operational due to basin-wide flooding in September. Sampling is to begin in October of the next reporting period.

3. Annual data delivery

Status: Routine monthly water samples and episodic storm samples were collected from the current and new stations as expected, except for as noted here for the six Potomac NTN stations: The Potomac stations were collected on schedule except for a brief interruption in June and July. The collector had to go on medical leave for what initially was for an unknown duration. Other PA-DEP staff collected one round of routine monthly water samples while plans were being made to temporarily re-assign staff to fill this anticipated sampling gap. However, the original sampler returned to duty and resumed sampling duties prior to any temporary staff collections. As a result, storm sample opportunities and one set of monthly samples may have been missed during this medical absence. However, routine monthly and storm sampling has returned to normal at all stations to include several sampling collections directly related to the Irene and Lee storm events.

b. Is the work under the agreement on schedule?

Response: Generally Yes

c. Is the actual work being performed within the scope of the recipient's work plan?

Response: Yes

d. Are the recipient's staff and facilities appropriate to handle the work under the agreement?

Response: Yes. DEP has demonstrated the ability to react to unexpected sampling challenges as noted above in 3.a.3 Status regarding sampling interruptions due to unanticipated medical leave. Other PA-DEP staff were able to fill in temporarily until the collector returned from medical leave.

e. Based upon the progress reports and this review, is the recipient:

• Generally submitting progress reports as required in the award and on time?

Response: *A semi-annual progress report is in progress by PADEP.*

UPDATE: Report submitted 10/20 and is in review.

• Submitting products/progress reports that are acceptable?

Response: *A semi-annual progress report is in progress by PADEP.*

UPDATE: Report submitted 10/20 and is in review.

- **Has the recipient been notified in writing that the products/progress reports received to date are acceptable or not acceptable and the project file documented accordingly? If not, please notify the recipient and document the project file as a result of this monitoring review.**

Response:

A new progress reporting framework according to the most recent grant guidance has been shared with the recipient for their present and future reporting efforts.

UPDATE: Report submitted 10/20 and is in review.

- **Meeting milestones and/or targets described in the award and/or scope of work?**

Response: *We discussed that quarterly routine and the storm flow sampling has been underway. We will review the efforts more completely upon receipt of the semi-annual progress report.*

UPDATE: Report submitted 10/20 and is in review.

Note: Questions f. and g. pertain to environmental results. If your grant was awarded on or after January 1, 2005, the official date the Environmental Results Policy became effective, answer both g. and h. The CBP Grant and Cooperative Agreement Guidance states that the recipient is required to attach to each applicable performance report (semi-annual, quarterly, or final) an updated Work Plan and Progress Made Performance Results Under Assistance Agreements Form that was submitted with the grant application. If not received, obtain copy from recipient to assist in responding to questions g. and h. and to document file. If your grant was awarded prior to January 1, 2005, answer both questions as "NA".

- f. Is the recipient making agreed-upon progress in meeting environmental results and/or environmental outcomes and outputs (to the maximum extent practicable)**

Response: *To the maximum extent practicable.*

- g. If the recipient is experiencing significant problems meeting agreed-upon outcomes and outputs, has the recipient been required to develop and implement a corrective action plan?**

Response: *No, not at this time.*

4. Agreement Specific: POs to discuss which areas apply to this agreement, otherwise, NA:

>Reviewing progress reports and other work products to assure that the recipient is complying with the applicable programmatic regulations and programmatic terms and conditions in the agreement.

> Notifying Grants Office if the recipient is not complying with the terms and conditions of the agreement,

> Providing technical assistance to recipients when requested or required by the programmatic terms and conditions of the award.

>Assisting the recipient, where appropriate, with the development of a plan to conduct subsequent portions of the project.

a.) Pre-Award Costs: (For more information on pre-award costs, please review: 1) GPI-00-02 (a) entitled, "Clarification on GPI 00-02 Modification to Policy Guidance for 40 CFR Part 31 Pre-Award Costs," (May 3, 2000); 2) 40 CFR 30.25(f)(1) or 40 CFR 30.28 and; 3) 40 CFR 31.23.)

- **Did the recipient incur costs prior to receiving the award?**

Response: Yes prior to receiving the original award. No pre-award costs were necessary for amendments 1 or 2.

• **If so, was the recipient's written request approved by the PO, file documented, and included on the assistance agreement?**

Response: When the original agreement was awarded the new recipient was not aware of written request approval and was not anticipated as needing pre-award costs given the change in the start date for the work with a 3 month extension for the first grant period. Pre-award approval was made by the PO on the award to align with what was originally expected as a July 1 start date because the other awardees were in the same situation for covering their start time costs.

No pre-award costs were requested under the amendments.

b.) Programmatic Conditions, Regulatory, and Statutory Requirements:

1. Programmatic Conditions:

a. Is the recipient complying with applicable programmatic terms and conditions of the award?

Response: Yes

b. Has the recipient submitted Quality Assurance Project Plan (s) (QAPP)? If not applicable, list N/A?

Response: Yes

c. Has the recipient submitted Quality Management Plan(s) (QMP)? If not applicable, list N/A?

Response: Yes

d. If applicable, is an approved QMP/QAPP plan documented in file?

(If QMP/QAPP not in file or approved, find out why? Contact is Mary Ellen Ley.)

Response:

QMP approved through 1/7/2016. QAPP approved 2007 but revised plan needs to be submitted to include new stations and other changes that may have been implanted since 2007. Files are documented.

As a result of this review, the PO will ensure the 2007 QAPP is forwarded to Tony Shaw for revision according to the new stations and funding allotted to PADEP.

UPDATE: 20007 QAPP forwarded to Tony Shaw by CBP QA Officer, Mary Ellen Ley on 10/20/2011.

e. Are all personnel responsible for implementing the QMP/QAPP familiar with its requirements?

Respond N/A if not applicable.

Response: Yes – The staff conducting the field sampling under this Project are experienced with this QMP/QAPP as they are the same personnel that worked on this Project in preceding years. Any new staff is trained in these QMP/QAPP procedures.

2. Statutory and Regulatory Requirements: *(Statutory pertains to Clean Water Act, Sec 117; Regulatory pertains to 40 CFR Part 30 for Non-Profit Organizations and Universities and Part 31 for State and Local Governments.)*

a. Have all Statutory requirements been met?

Response: In support of the Clean Water Act, Section 117, this project will provide the Chesapeake Bay partnership with essential sample collection and analysis that is a critical part of an integrated, interstate watershed-wide partner network, data management of QA'd non-tidal water quality data set produced, and statistical analysis and its summaries that support assessing the effectiveness of management actions in the Bay watershed, which is in support of Chesapeake 2000 Agreement - Water Quality Protection & Restoration - to achieve and maintain the Water Quality necessary to support the aquatic living resources of the Bay and its tributaries and to protect human health.

b. Have all Regulatory requirements been met? *(Use this statement provided the requirements in the applicable 40 CFR Part 30 or 31 requirements are being met.)*

Response: Yes

c.) Equipment/Supplies:

1. Did the recipient purchase equipment as planned in the agreement and was it used as planned?

Response: Purchase of equipment was not authorized under this agreement.

If so, request a list of equipment indicating each item purchased and the date and dollar amount of purchase. Attach list to this protocol. *(Note: Each item and its cost must be approved in recipient's budget and purchased only during the budget/project period of this assistance agreement.)*

2. Did the recipient purchase supplies as planned in the agreement and were they used as planned?

Response: Yes

(Note: Requested and approved supplies should represent only the supplies that are needed to complete the approved workplan. Supplies must be purchased only during the budget/project period of this assistance agreement.)

d.) Travel: Was this authorized in the agreement and was it carried out appropriately?

Response: Travel was not authorized under this agreement.

e.) Conferences: Did the conference comply with the Best Practices Guide for Conferences?

Response: N/A

f.) Contracting practices: Written Code of Conduct/Ethics: Federal regulations require recipients to establish codes of conduct to eliminate any potential conflict of interest and to establish disciplinary actions for those violating the standards. *Note: (The minimum requirements are outlined in 40 CFR 30.42, Non-Profit Organizations, Universities; 40 CFR 31.36(3), State and Local Governments.)*

1. Contractual Costs: Were contractual/subcontract costs authorized in the assistance agreement?
Costs must be approved in the contractual budget category in the assistance agreement.

Response: Yes

a. If yes, answer the following questions:

- are costs consistent with the approved work plan? Yes
- budget category reflects funds for contracting? Yes
- the recipient reprogrammed funds to contracting? No
- subcontracts SOW consistent with scope of the assistance agreement? Yes

2. Does grant recipient have written contracting procedures?

Response: Yes

3. Competition: Was the contract competed/sole source; files documented?

Response: Sole sourced. Files are documented.

g. Subawards: Subaward Policy, effective May 15, 2007, requires all new awards and supplemental amendments awarded on or after May 15, 2007 must meet the requirements of the Directive.

1. Does the work plan contain subaward work?

Response: No

a. If yes, does the recipient have subawards pertinent to the agreement/amendment work plan?

Response: N/A

b. If yes, is the recipient complying with the subaward policy requirements?

Response: N/A

h.) Program Income: (POs must work with the recipient to resolve program-income related issues on agreements that generate program income.)

• Did the project generate unanticipated program income?

Response: No

i.) EPA-Furnished In Kind: Was this satisfactorily used in the assistance agreement?

Response: N/A

j.) Recipient Furnished/Third Party In Kind:

• Met the conditions under 40 CFR 30.23 and 40 CFR 31.24?

Response: N/A

• Were any adjustments made to the cost share?

Response: No

5. Closeout Process (Applicable to Closeout Review): Closeout of the award occurs when all applicable administrative actions and all required work of the grant has been completed.

Note: (Project Officer should be aware of the recipients responsibility in the closeout process and review the general regulations (40 CFR 30.71 Universities & Non-Profits and 40 CFR 31.50 State and Local Governments) on Closeout Requirements with grantee.)

a. Are any funds remaining? If so, why and what tasks were not completed?

Response: N/A

b. Has the Final Technical Report been submitted, reviewed, and approved?

Response: N/A

c. Equipment/Supplies: *Project Officers should be aware and review with the recipient the disposition requirements outlined in 40 CFR 30.34 and 30.35 for Non-Profit Organizations and Universities; 40 CFR 31.32 and 31.33 for State and Local Governments. If the recipient no longer needs the equipment, please request from the recipient a list of equipment purchased, its fair market value and date of purchase.*

- **Is the recipient keeping the equipment?**

Response: N/A

- **Is the recipient keeping the supplies?**

Response: N/A

6. Based upon PO review and knowledge of this award, does PO recommend:

(Yes or No Response required)

a. Award Amendment: Prior to responding, refer back to Part II, Items 2g & 2h on this report.

Response: No

b. Advanced Programmatic Monitoring: If needed, discuss with Lori or Ronnie to either add to current list, if not already on, or next year's PO Advanced Programmatic Monitoring List in the Post Award Monitoring Plan.

Response: No

c. Administrative Review completed by Grants Office: Respond "No". If major concerns exist to check "Yes", discuss with Lori or Ronnie prior to responding to this question.

Response: No

d. OIG Referral: Respond "No" If major concerns exist to check "Yes", discuss with Lori or Ronnie prior to responding to this question.

Response: No

e. More Frequent Baseline Monitoring Reviews (less than every six months)

Response: No, not at this time.

7. Project Officer Suggestions and Recommendations (define as either major or minor):

Note: (Recommendations should have corresponding routes to/for resolution specified in report.

Also, when major recommendations are made, EPA should explicitly require the recipient to develop and submit a corrective action plan to address the major recommendation.)

Response:

Minor – the new template for semi-annual and annual reporting according to the most recent grant guidance has been forwarded to PADEP. We anticipate their pending and future reporting will be in the required, most recent EPA format for submitting these deliverables.

UPDATE: Report submitted 10/20 using required template for semi-annual reporting and is in review.

8. Recipient Recommendations and Suggestions:

Response: None

9. Identify any areas where the recipient is significantly meeting or exceeding programmatic expectations:

Response: N/A

10. Recommendations for the Grants Office, if any:

Response: None

RESOLUTION PLAN AND TIMING - PART III

Prepare Corrective Action Plan, if applicable, to address major recommendation(s): N/A

1. Tell the recipient when the corrective action plan is due, and clearly state what should be addressed.

2. Tell the recipient to whom they should send the corrective action plan (EPA contact) and where to send it, including phone number.

Response:

Note:

1. Send an electronic copy of protocol to the recipient for comment.

2. cc: Ronnie Kuczynski

(Also, send to Ronnie any follow-up letters sent to recipient, and relevant e-mail messages)